REMARKS

Claims 38-44, 53, and 55-57 were pending in this application when the present Office Action was mailed (July 11, 2007). In this response, claims 38, 41, 42, 55, and 57 have been amended. No claims have been canceled or added. Accordingly, claims 38-44, 53, and 55-57 are currently pending.

As a preliminary matter, the undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on October 10, 2007. During the telephone interview, the Examiner and the undersigned attorney discussed the claimed subject matter and the teachings in the cited references. The Examiner agreed to reconsider the outstanding rejections in view of the foregoing claim amendments. The following remarks reflect and expand upon the points discussed during the October 10, 2007 telephone interview. Accordingly, the applicants request that this paper constitute the applicants' Interview Summary. If the Examiner notices any deficiencies in this regard, the Examiner is encouraged to contact the undersigned representative.

In the July 11, 2007 Office Action, claims 41 and 57 were rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Claims 41 and 57 have been amended to address the Examiner's concerns. Accordingly, the Section 112 rejection of claims 41 and 57 should be withdrawn.

In the July 11, 2007 Office Action, claims 38 and 55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,811,708 to Matsumoto ("Matsumoto") and translated Abstract of Japanese Patent No. 409214266A to Sakai ("Sakai"). Without commenting on or conceding the merits of this rejection, claims 38 and 55 have been amended to further clarify the claimed subject matter.

The combination of Matsumoto and Sakai does not support a Section 103 rejection of claim 38 because the combined teachings of these references fails to disclose or suggest several features of this claim. For example, neither Matsumoto nor Sakai disclose

or suggest "a corrector circuit ... for calculating a desired preferred audio signal to remaining audio signal ratio based on the first input and the second input." Matsumoto discloses a karaoke machine having an amplifier 65 used to individually amply various audio input signals. As indicated in the Office Action, Matsumoto fails to disclose how to maintain a ratio between the various audio input signals. Sakai discloses a karaoke machine having a mixing ratio input means 9 that can receive a user selected volume ratio between a voice signal and a music signal. Sakai's Karaoke machine also includes a sound volume adjustment circuit 3 for adjusting the voice signal or the music signal according to the user selected volume ratio. Sakai, however, does not disclose a circuit for calculating the desired volume ratio. Instead, the desired volume ratio is received as an input from the user. As a result, even if Matsumoto and Sakai were combined, the combined teachings would fail to disclose at least one feature of claim 38.

Claim 38 is further patentable over the combination of Matsumoto and Sakai because modifying Matsumoto's karaoke machine with Sakai's mixing ratio input means would change the principle of operation for Matsumoto's karaoke machine. As disclosed with reference to Figure 6A of Matsumoto, five audio signals including main melody, harmony melody, karaoke accompaniment, karaoke back chorus, and live back chorus are coupled to corresponding amplifiers 65. Matsumoto discloses using a controller 60 to individually adjust each of the amplifiers 65 for the audio signals to derive a desired sound. If Sakai's mixing ratio input means were incorporated into Matsumoto's karaoke machine, then Matsumoto's audio signals could not be individually adjusted; instead, at least two of the audio signals must be adjusted dependently. As a result, one skilled in the art would not modify Matsumoto's teachings with that of Sakai's. Accordingly, the Section 103 rejection of claim 38 should be withdrawn.

Claim 55 has been amended to contain subject matter generally analogous to that of claim 38. As a result, claim 55 is also patentable over the combination of Matsumoto and Sakai for at least the foregoing reasons and the additional features of this claim.

Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Matsumoto, Sakai, and U.S. Patent No. 4,885,792 to Christensen ("Christensen"). Claim 42 has been amended to contain subject matter generally analogous to that of claim 38. As discussed above, the combined teachings of Matsumoto and Sakai fail to disclose or suggested several features of claim 38, and Christensen fails to fill this void. As a result, claim 42 is also patentable over the combination of Matsumoto and Sakai for at least the foregoing reasons and the additional features of this claim.

Claims 38 and 55 were rejected on the ground of non-statutory obviousness-type double patenting based on claim 17 of U.S. Patent No. 6,311,155 to Vaudrey et al. ("Vaudrey I) in view of Sakai, claim 7 of U.S. Patent No. 6,442,278 Vaudrey et al. ("Vaudrey II) in view of Sakai, and claim 4 of U.S. Patent No. 6,650,755 Vaudrey et al. ("Vaudrey III) in view of Sakai. In particular, Sakai was cited for the disclosure of a correction circuit for maintaining a mixing ratio between a voice signal and a music signal. As discussed above with reference to the Section 103 rejection of claims 38 and 55, these claims have been amended in this response, and Sakai fails to disclose several features of these amended claims. As a result, the combinations of Sakai and Vaudrey I, Vaudrey II, and Vaudrey III, respectively, fail to disclose or suggest at least one feature of claims 38 and 55. Accordingly, the non-statutory obviousness-type double patenting rejections of claims 38 and 55 should be withdrawn.

Claims 38 and 55 were also provisionally rejected on the ground of non-statutory obviousness-type double patenting based on claims 1-3 of U.S. Patent Application No. 10/178,553 in view of Sakai, claim 9 of U.S. Patent Application No. 10/713,262 in view of Sakai, and claim 9 or 18 of U.S. Patent Application No. 11/154,816 in view of Sakai. The applicants elect not to comment on the merits of these provisional rejections and reserve the right to provide further arguments and/or amendments at a later date.

Claims 39, 40, and 56 were objected as being dependent upon a rejected base claim but would be allowable if rewritten into independent form. The applicants would like

to thank the Examiner for the indication of allowable subject matter. However, as discussed above, claims 38 and 55 are now patentable over the cited references, and clams 39, 40, and 56 depend from claim 38 or claim 55. As a result, the objection to claims 39, 40, and 56 should be withdrawn.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact the undersigned representative.

The applicant has included payment of $120.00 via EFT Account No. SEA1PIRM to cover the extension of time fee. Should there exist a discrepency in fees due, please charge or credit our Deposit Account No. 50-0665, under Order No. 320528016US2 from which the undersigned is authorized to draw.

Dated:

10/15/07

Respectfully submitted,

By

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